

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.22476 of 2015

R.PRASANTH

PETITIONER

Vs

- 1 THE SUPERINTENDENT OF POLICE,
ERODE DISTRICT, ERODE.
- 2 THE INSPECTOR OF POLICE,
PUNJAL PULIAMPATTY POLICE STATION,
SATHYAMANGALAM, ERODE DISTRICT.
- 3 PRAKASH RESPONDENTS
[Impleaded as R3 vide order of the Court dt.22.9.15
in MP.No.1 of 2015]

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 2nd respondent to register FIR and enquire the matter on the basis of the complaint given by the petitioner dated 28.08.2015.

For Petitioner : Mr.R.Lokeswaran
For Respondents : Mr.C.Emalias, APP

O R D E R

This petition has been filed to direct the 2nd respondent to register FIR on the petitioner's complaint dated 28.08.2015.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor for the respondents and perused the materials placed on record.

3. It is the case of the petitioner that, his father used to purchase goods on credit from one Prakash and after selling the goods, he will remit the amounts periodically. While so, the petitioner's mother was affected by cancer and therefore, the petitioner's father was not able to repay the amounts to the said Prakash. In this connection,

an insolvency application in IP.No.6 of 2015 has been filed by the petitioner's father before the Sub Court, Salem and the same is pending. While so, it is alleged by the petitioner that the said Prakash is giving false complaint against this petitioner's father and is harassing them by sending rowdy elements.

4. Learned Additional Public Prosecutor submits that the said Prakash had given a complaint against this petitioner's father. On the said complaint, enquiry was conducted and closed as the dispute is civil in nature.

5. Therefore, the petitioner need not have any apprehension about Prakash filing any false complaint against the petitioner. If the said Prakash sends goondas and threatens the petitioner in future, during the pendency of the insolvency proceedings, it is open to the petitioner to approach the local police for protection.

6. On the complaint dated 28.08.2015 said to have been given by the petitioner, he has alleged that the said Prakash has taken his vehicle Indica Vista TN06 A0543 and also his cheque book of HDFC bank. It appears that the police have not received the complaint dated 28.08.2015.

7. Under such circumstances, liberty is given to the petitioner to give a fresh complaint in person, with regard to this allegation to the 2nd respondent police and on such complaint being given, the same shall be enquired into and action taken in accordance with law.

With the above observation, this petition is closed.

Sd/-

Assistant Registrar

True Copy सत्यमेव जयते

Sub Assistant Registrar

To

- 1 THE SUPERINTENDENT OF POLICE,
ERODE DISTRICT, ERODE.
- 2 THE INSPECTOR OF POLICE,
PUNJAL PULIAMPATTY POLICE STATION,
SATHYAMANGALAM, ERODE DISTRICT.
- 3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 cc to Mr.R.Lokeswaran, Advocate(sr.56397)

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KSJ(co)

cp 27/10/2015